

I have been a licensed Amateur Radio operator since 1965 (KN4AQ), and currently hold an Amateur Extra class license. I have been operating in the VHF-UHF spectrum during the entire period, primarily using FM. I am currently the editor of the SouthEastern Repeater Association's magazine, the Repeater Journal (SERA provides Amateur Radio Repeater Coordination and spectrum management for eight southeastern states), and FM/Repeater columnist for CQ-VHF Magazine.

I oppose RM-10521, the petition to legalize PMR 446 operation in the United States for foreign travelers.

The frequencies involved are actively used by licensed Amateur Radio operators throughout the country. For example, 446.0 MHz is designated as the "National Simplex Channel" for US Amateurs, and is the most actively used simplex frequency in this band. PMR 446 "Channel 1" - 446.00625 MHz - is only 6.25 kHz above 446.0, well within the passband of the standard narrowband FM receivers used by licensed Amateurs on 446.0 MHz. Interference is certain. And if my experience with the FRS service is any indication, PMR 446 "Channel 1" will be the most active channel. So the most active Amateur frequency and the most active PMR 446 channel overlay each other!

Amateurs also use the remaining spectrum requested in the petition as additional simplex channels, or as repeater input or output frequencies in various areas of the country.

Mr. Trahos says that the impact of permitting PMR 446 operation in the US will be minimal. On the contrary, the immediate, direct impact would be significant. The most likely location of PMR 446 operation would be metropolitan areas, precisely where Amateur Radio operation is greatest. Over the longer term, legalization - essentially encouragement - of PMR 446 operation has the potential to dramatically increase operation and interference to the Amateur Radio service. In addition, it sets the bad precedent of permitting non-Amateur operation in an Amateur band that other services and spectrum users would seek to exploit.

The petition proposes that PMR 446 operation would be "Secondary" to Amateur Radio, meaning that the PMR 446 users would not be permitted to cause interference to Amateur operation, and must accept any interference caused by Amateurs. But secondary status to Amateur Radio operation would do nothing to reduce the potential for interference. Mr. Trahos admits that PMR 446 users are unaware of the regulations and technical details covering operation of the radios. Once they are under the general impression that operation is legal, they are in no position to understand the fine point of secondary status.

Mr. Trahos says that prohibiting PMR 446 operation in the US is unenforceable. Literature included with PMR 446 radios currently warns users that use of the radio outside their native country may be illegal, and that provides some deterrent effect. With that hint, the "unsophisticated" user of such a radio is likely to cease operation when warned, possibly even by an on-air announcement from a licensed Amateur, that such operation is illegal. In cases where interference is persistent and egregious, enforcement is practical and warranted.

Prohibiting PMR 446 operation in the US presents little hardship to foreign travelers visiting the US. They are permitted to purchase and use FRS radios, which are readily available in myriad consumer outlets at low cost. A pair of FRS radios can be had for under \$50.

Finally, it seems very odd to permit a foreign national to do something in this country that a US citizen is prohibited from doing.

The advantages to foreign travelers in the US outlined in Mr. Trahos' petition are grossly outweighed by problems caused to the Amateur Radio service. The petition should be dismissed.